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SENSITIVE
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DEPARTMENT OF ENERGY PLEASE PASS TO WILLIAM KILMARTIN AND
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E.O. 12958: N/A

TAGS: [IT](#) [PGOV](#) [ETRD](#) [PBTS](#) [PTER](#) [PARM](#)

SUBJECT: MEGAPORTS IN ITALY: DETECTING NUCLEAR MATERIALS
AMIDST THE MAFIA (PART II) -- AN IMPLEMENTING STRATEGY

REF: A. 08 NAPLES 36

[1](#)B. ROME SEPTEL PART 1 OF THIS CABLE

[1](#)1. (SBU) Summary: The DOE Megaports program seeks to protect the United States from attack by placing radiation detectors in container ports. Italy has long been on the Department of Energy's list of desired Megaports participants, but efforts to institute the program in Italy stalled several years ago. This cable (Part I described the port situation in Italy and outlined the reasons for installation of Megaports here) endeavors to illuminate the challenges in its establishment. Mission believes that an approach that establishes political will among key GOI players will likely be more effective than one that begins at the operational level of the agencies involved. We also seek guidance and assistance in coordinating a USG strategy to reignite Megaport negotiations with the Government of Italy. In Mission's view, concrete information on how Megaports is managed in other EU countries will be essential, as would be information on how Megaports will help prepare Italian ports for compliance with the USG's looming (2012) requirement for 100 percent of all entering containers to be scanned for radiation. If we can demonstrate to the Italians that their ability to ship to U.S. ports could be damaged, while their competitors with existing Megaports programs will benefit, our approach will be fundamentally strengthened. Post sees a good first step in selling the Megaports program would be for a senior DoE Megaports official to come to Rome in the near future. End Summary

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Pitfalls
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[1](#)2. (SBU) The last efforts to enact Megaports in Italy (in 2004 and 2006) failed. The reasons given for the failure of the earlier effort are varied, but they include turf questions among Italian agencies, Italian doubts about the relevance of the program, and questions over whether the EU or Italy has competence over port security issues.

Dueling agencies and Complicated Divisions of Responsibilities
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[1](#)3. (SBU) One of the qualities that has made CSI success easier to attain than Megaports success is that CSI is viewed by the Italians as an agency-to-agency program. US Customs and Border Protection works with its Italian counterpart. The Department of Energy, however, has no precise Italian equivalent, which has made establishing reliable points of contact in Italy difficult. Also, USG personnel are on site

at CSI ports and able to work with the Italians, but Italians would need to run Megaports without assistance from U.S. personnel. There are clearly defined agency roles in Italy that could be upset in the process of establishing the program. Because customs (Dogana) officials are the port of entry front line for containers arriving in Italy, they have been seen as the logical agency to administer Megaports. This creates a problem, however, because if a Radiation Portal Monitor alarmed, customs officials would not be authorized to handle this. The fire department has competency over radiation threats. Furthermore, any investigative activity would need to be done by law enforcement.

14. (SBU) There is no easy path to coordinating among these entities. Placing the Dogana in charge of this program would put it in a position to get additional authority and by extension, additional money -- something likely to upset other agencies. (Comment: Managing tension among agencies for what is perceived as an American program is something the GOI is not likely to want to tackle. As such, movement forward will require a solid strategy for presenting compelling evidence to the right GOI principals. An approach that establishes political will among key GOI players will likely be more effective than one that begins at the operational level of the agencies involved. End comment.)

Doubt about the threat and method of containment

15. (SBU) Smuggled nuclear and radioactive materials are a new threat - and not one that springs instantly to the minds of

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Italians. As such, screening containers indiscriminately seems to them a bit overblown. Radiation Portal Monitors (RPMs) were purchased for many Italian ports after the Chernobyl reactor disaster for use in scanning metals coming out of Russia. This sort of targeted screening seems to the Italians more logical than the comprehensive scanning that would be done under Megaports. Now that Chernobyl has receded as a radioactivity threat, most (if not all) of these RPMs sit unused at Italian ports. Also needing to be overcome are the risk assessment preferences of the Dogana. They understand the methodology, put considerable stock in its effectiveness and need to be convinced that the universal scanning offered by RPMs is a significant added benefit.

16. (SBU) An event that occurred in 2005 further weakened the impression of Megaports among Italian officials. Megaports was still undergoing installation in Sri Lanka when a container set off the RPM alarm. Because the system was not yet fully operational, officials were not able to determine which container had caused the alarm, but only knew it was one of a number of containers that had already continued on to their next port of call. Since one of those was bound for Italy, Italian officials were asked to track down and examine the container. The cargo turned out to be unwieldy, but presumably safe manhole covers from India. Because of what they perceived to be a huge reaction over what turned out to be a non-existent threat, Italian officials were left with a negative impression of the effectiveness of Megaports. (Note: After the unfortunate impression was created, Megaports subsequently confirmed that a genuine radioactive source had tripped the alarm and the suspect container was eventually located elsewhere.)

Who has competence - Italy or EU?

17. (U) Italian officials have in the past asserted that they may not have the right to negotiate a Megaports MOU, saying port security issues are the purview of the EU. Questions over whether the EU or member states have competence to negotiate port security agreements came up in the context of CSI implementation. After CSI was well underway in many

European ports, the EU started infringement proceedings against the U.S., asserting the agreements should have been negotiated with the EU and not bilaterally. Customs and Border Protection then agreed to include the EU in future negotiations, but at that point most CSI programs were already in operation. Conversations with current Megaports posts in the EU and with Megaports officials indicate there has been no such conflict in the implementation of Megaports in EU ports. The current Megaports agreements were all negotiated at nation-state level without EU participation. Since Italy willingly set up CSI bilaterally, and since there is no evidence of EU-Member State conflict in setting up Megaports, we suspect Italy is using the EU's alleged competency as an excuse not to go forward.

¶8. (SBU) Concrete information on how Megaports is managed in other EU countries will be essential to convince Italy that this will work within the EU context. Complementing that would be information regarding how Megaports will help prepare Italian ports for compliance with the USG's looming (2012) requirement for 100 percent of all entering containers to be scanned radiation. If we can demonstrate to the Italians that their ability to ship to U.S. ports could be damaged, while their competitors with existing Megaports programs will benefit, our approach will be fundamentally strengthened.

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COMMENT/ACTION REQUESTS
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¶9. (SBU) We obviously have some work to do in convincing the Italians to embrace Megaports. As described above, they appear to have ready an arsenal of bureaucratic stumbling blocks, horror stories and excuses, all intended to prevent this program from going forward. But given the severity of the threat, the new administration's emphasis on nuclear-material security, and the special organized-crime concerns in Italian ports, we think the USG should push hard to get this program launched in Italy.

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¶10. (SBU) Post believes that before the USG launches another effort with the Italians, we should make sure that all concerned USG agencies are on-board with the project and ready to cooperate. We think a good first step in this direction would be for a senior DoE Megaports official to come to Rome. Mission proposes an initial set of meetings with the Rome representatives of concerned USG agencies. If appropriate, meetings with Italian officials could follow. This official should be prepared to brief in detail on the threat, the need for Megaports, implementation, experiences in other EU countries, and the possibility for USG interagency cooperation. We further request any quantitative or qualitative data available for use in tangibly demonstrating the threat of covert transport of nuclear or radioactive materials and suggestions for managing the turf issues surrounding Megaports in Italy.
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